UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24811
16 November 1992
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 30 OCTOBER 1992 FROM THE PERMANENT REPRESENTATIVE OF BENIN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter dated 28 October 1992 (S/24735), I have the honour to transmit herewith, for your consideration and the consideration of the members of the Security Council, the Final Communiqué on the Liberian crisis (annex II) issued by the First Joint Summit Meeting of the Standing Mediation Committee and the Committee of Five of the Economic Community of West African States (ECOWAS), held at Cotonou on 20 October 1992, together with the decision taken with respect to the implementation of sanctions (annex I).

I request you to have these documents circulated as documents of the Security Council.

(Signed) René Valéry MONGBE

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Annex I

[Original: English and French]

First Joint Summit Meeting of the ECOWAS Standing Mediation Committee and the Committee of Five

Decision A/DEC.1/10/92 relating to the implementation of decision A/DEC.8/7/92 on sanctions against parties to the Liberian conflict which fail to comply with the implementation of the Yamoussoukro Accord of 30 October 1991

Heads of State and Government of the ECOWAS Standing Mediation Committee and the Committee of Five,

Mindful of article 5 of the ECOWAS Treaty establishing the Authority of Heads of State and Government, and defining its composition and functions,

Acting on behalf of the Authority of Heads of State and Government,

Reaffirming the Final Communiqué of 30 October 1991 adopted in Yamoussoukro by the ECOWAS Committee of Five (otherwise known as the Yamoussoukro IV Accord),

Recalling decision A/DEC.9/5/90 relating to the establishment of the Standing Mediation Committee,

Recalling also decision A/DEC.7/91 relating to the establishment of the Committee of Five,

Further recalling decision A/DEC.8/7/92 of the fifteenth session of the Authority of Heads of State and Government, held at Dakar on 29 July 1992, relating to the imposition of sanctions against combatants in the Liberian crisis,

Noting the report of 6 October 1992 by the Field Commander of ECOMOG on the status of implementation of the Yamoussoukro Accord of 30 October 1991,

Deploring the fact that the NPFL has failed to cooperate with the Field Commander of ECOMOG in the implementation of the Yamoussoukro IV Accord, particularly with regard to:

- The disarmament and encampment of combatants,

- The creation of a buffer zone along the Sierra Leone-Liberia border,

- The creation of the necessary conditions of peace and security conducive to the holding of free, fair and democratic elections in Liberia,

Considering that such action constitutes a serious threat to the peace and security of Liberia in particular and the West African region as a whole,

Determined to secure the compliance of all combatants, including in particular the NPFL, with the provisions of the said Accord,

Decide:

Article 1

Member States shall impose sanctions against any party to the Liberian conflict which fails to comply with the implementation of the Yamoussoukro IV Accord, and in particular against the National Patriotic Front of Liberia (NPFL) led by Charles Taylor. Accordingly, member States shall impose the sanctions set out below.

Article 2

Member States shall prevent:

(a) The export from their territories to the territory of Liberia under NPFL control of weapons or any other military equipment whether or not originating in their territories as from the date of this decision;

(b) The import into their territories of all commodities and products originating from the territory of Liberia under NPFL control and exported therefrom as from the date of this decision;

(c) Any activities by their nationals or in their territories which would promote or are calculated to promote the export or transshipment of any commodities or products from the territory of Liberia under NPFL control or the import or transshipment of weapons or any other military equipment into the territory of Liberia under NPFL control as from the date of the present decision.

Article 3

Member States shall not make available to the so-called National Patriotic Reconstruction Assembly Government of Charles Taylor and the NPFL or to any commercial, industrial or public utility undertaking in areas under NPFL control any funds or any other financial or economic resources and shall prevent their nationals and any persons within their territories from removing from their territories or otherwise making available to that Government or to any such undertaking any such funds or resources except payments exclusively for strictly medical or humanitarian purposes and, in humanitarian circumstances, foodstuffs.

Article 4

Member States shall refrain from any action or dealing that might be construed as a recognition of the authority and control of the so-called National Patriotic Reconstruction Assembly Government or the NPFL over any part of the territory of Liberia.

Article 5

All member States sharing common borders with Liberia shall deny access to and from their territories to persons and vehicles coming from or going to the areas under NPFL control except for strictly humanitarian reasons.

Article 6

The Field Commander of ECOMOG shall take all necessary measures to ensure compliance with the provisions of this decision within the territory of Liberia.

Article 7

This decision shall be applied against any other warring party who, upon the report of the Field Commander of ECOMOG, is adjudged by the Committee of Five to have failed to comply with the implementation of the provisions of the Yamoussoukro IV Accord.

Article 8

The ECOWAS Committee of Five on Liberia, in consultation with the current Chairman of the Authority, and together with the representatives of the Republic of Guinea and the Republic of Sierra Leone, shall undertake the following tasks and report on its work to the Authority of Heads of State and Government with its observations and recommendations:

(a) To examine the reports on the progress of the implementation of this decision submitted by the ECOMOG Field Commander through the Executive Secretary;

(b) To seek from all States further information regarding the action taken by them concerning the effective implementation of the provisions of this decision.

Article 9

Member States shall cooperate fully with the ECOWAS Committee of Five on Liberia particularly by supplying such information as may be sought by the Committee in the implementation of this decision.

Article 10

The Executive Secretary shall provide all necessary assistance to the ECOWAS Committee of Five on Liberia and make all necessary arrangements in the Executive Secretariat for the purpose.

Article 11

The Committee of Five in consultation with the current Chairman of the Authority of Heads of State and Government is hereby authorized to suspend the application of this decision, or any part thereof, against any warring party in Liberia provided the Field Commander of ECOMOG has reported that he is satisfied beyond reasonable doubt that there has been full compliance by that warring party with the provisions of the Yamoussoukro IV Accord in a manner that would conduce the holding of free, fair and democratic elections in Liberia without undue delay.

Article 12

The Committee of Five, in consultation with the Standing Mediation Committee, shall seek the assistance of the Security Council of the United Nations to make these sanctions effective and binding on all members of the international community in accordance with the provisions of the Charter of the United Nations.

Article 13

This decision shall enter into force upon signature and shall be published in the Official Journal of the Community and in the National Gazette of each member State.

Done at Cotonou, this twentieth day of October 1992.

H.E. Nicéphore Dieudonné Soglo
Chairman
for the Meeting

Annex II

[Original: English and French]

Final Communiqué of the First Joint Summit Meeting of the Economic Community of West African States Standing Mediation Committee and the Committee of Five

1. Pursuant to the decision taken on 29 July 1992 in Dakar by the Authority of Heads of State and Government of the Economic Community of West African States (ECOWAS) relating to sanctions against parties to the Liberian conflict which fail to comply with the implementation of the Yamoussoukro Accord of 30 October 1991, the First Joint Summit Meeting of the ECOWAS Standing Mediation Committee and the Committee of Five was held in Cotonou on 20 October 1992 under the chairmanship of H.E. Mr. Nicéphore Dieudonné Soglo, President of the Republic of Benin and current Chairman of the ECOWAS Authority.

2. Present at the Joint Summit Meeting were the following Heads of State or their duly accredited representatives:

- H.E. Mr. Nicéphore Dieudonné Soglo, President of the Republic of Benin;
- H.E. Mr. Félix Houphouët-Boigny, President of the Republic of Côte d'Ivoire;
- H.E. General João Bernardo Vieira, President of the Council of State of the Republic of Guinea-Bissau;
- H.E. General Gnassingbé Eyadema, President of the Togolese Republic;
- H.E. Admiral Augustus Aikhomu, Vice-President of the Federal Republic of Nigeria, representing the President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria;
- Lieutenant-General Arnold Quainoo, member of the Provisional National Defence Council, representing the Head of State of the Republic of Ghana;
- The Honourable Alhaji Lamin Kitti Jabang, Minister of the Interior, representing the President of the Republic of the Gambia;
- H.E. Mr. Aguebourou Diarrah, Ambassador of the Republic of Mali to Ghana, representing the President of the Republic of Mali;
- The Honourable Mr. Djibo Kâ, Minister for Foreign Affairs representing the President of the Republic of Senegal.

3. Attending the Joint Summit at the invitation of the two Committees were:

- H.E. Mr. Blaise Compaoré, President of Burkina Faso, Head of Government of Burkina Faso;

- The Honourable Mr. Rene Alseyni Gomez, Minister of Interior and Security, representing the Head of State and President of the Republic of Guinea;

- The Honourable Mr. Gabriel Bacchus-Matthews, Minister for Foreign Affairs, representing the President of the Interim Government of National Unity of Liberia.

4. Attending in an observer capacity were:

- Under-Secretary-General for Political Affairs, James Jonah, representing the Secretary-General of the United Nations;

- The Assistant Secretary-General (EDECO) of the Organization of African Unity, representing the Secretary-General of the Organization of African Unity;

- The West African Regional Representative of the United Nations High Commissioner for Refugees, representing the High Commissioner for Refugees.

5. The Joint Summit Meeting had been preceded by a meeting of the members of the ECOWAS Standing Mediation Committee and Committee of Five in Cotonou on 19 October 1992 which prepared the ground for the Joint Summit Meeting.

Review of the Liberian situation

6. Heads of State and Government reviewed developments relating to the situation in Liberia since the last Summit Meeting of the Authority of Heads of State and Government, held at Dakar from 27 to 29 July 1992, in the light of reports made by the Chairman of the Authority and the Field Commander of ECOMOG.

7. The Chairman informed the Joint Meeting about a number of measures he had taken since the July 1992 Dakar Summit to facilitate the implementation of the relevant Authority decision on the Liberian crisis. He referred in particular to a meeting he convened in Cotonou in August to enable the various Liberian parties to consult with each other, but which was not realized owing to problems of communication. He had therefore dispatched a mission including a Special Envoy of the Chairman of the Authority, which met with ULIMO and obtained its agreement to cooperate with ECOMOG to ensure the speedy implementation of the Yamoussoukro Accords.

8. The Meeting also received a report from the Field Commander of ECOMOG in which he reported that there had been no compliance with the Yamoussoukro

Accords by the warring parties at the expiration of the deadline of 30 days stipulated by the July 1992 decision of the Authority. Instead of making progress towards the establishment of conditions conducive to the holding of free, fair and democratic elections in Liberia, the Meeting noted that the situation had deteriorated sharply in Monrovia and elsewhere in Liberia.

9. The Joint Meeting noted in particular the intensification of hostilities between ULIMO and the NPFL, and the taking hostage by NPFL of over 500 ECOMOG troops deployed into the NPFL-controlled territory as part of the disarmament and encampment exercise, and the unprovoked and premeditated attack by NPFL against ECOMOG forces. The Meeting was also informed about a letter written by former United States President Jimmy Carter to members of the Committee of Five, in which he had proposed, inter alia, that the size of ECOMOG forces should be reduced and a small United Nations unarmed observer group be sent into Liberia to monitor the neutrality of ECOMOG.

Status of ECOMOG

10. In the circumstances, Heads of State and Government strongly reaffirmed their trust in ECOMOG and reiterated their confidence in its absolute neutrality in the performance of its functions in Liberia. They also reaffirmed the right of ECOMOG, as a peace-keeping force, to defend itself against armed attacks from any quarter.

Cease-fire in Liberia

11. The Joint Meeting stressed the necessity for an immediate cease-fire to be observed by the forces of ULIMO and NPFL. The Meeting, therefore, strongly urged all the warring parties to ensure the strict observance of a cease-fire throughout the territory of Liberia. In this connection, it accepted the declaration by ULIMO of its intention to abide by the terms and conditions of the Yamoussoukro Accords.

12. The Meeting therefore decided as follows:

(a) That ULIMO and the NPFL shall declare an immediate cease-fire effective midnight on Wednesday, 21 October 1992;

(b) ECOMOG shall be responsible for ensuring that the cease-fire is respected by the parties concerned;

(c) A Monitoring Committee comprising Benin (Chairman), Burkina Faso, Côte d'Ivoire, Gambia, Ghana, Guinea, Nigeria, Senegal and Togo is hereby established:

(i) To inform the warring parties concerned of the decisions of this Meeting;

(ii) To closely monitor the strict implementation by all parties concerned of the provisions of the Yamoussoukro IV Accord, which accord must be fully implemented within 15 days from the declaration of the cease-fire;

(iii) To meet five days before the deadline to assess the extent of the implementation of the Yamoussoukro IV Accord;

(d) In the event that the Yamoussoukro IV Accord is not implemented by the warring factions concerned at the expiration of the deadline, the Sanctions Decision A/DEC.1/10/92 adopted by the Meeting on 20 October 1992 shall apply fully and automatically.

Return of ECOMOG property seized by NPFL

13. Heads of State and Government condemned the taking hostage by NPFL of ECOMOG troops deployed in its area. The Joint Meeting demanded the immediate return by NPFL of all items unlawfully seized from the ECOMOG forces concerned.

Imposition of sanctions

14. In the event of failure by the warring parties to comply fully with the Yamoussoukro IV Accord, Heads of State and Government determined that such action would constitute a serious threat to the peace and security of Liberia in particular and the West African region as a whole. Heads of State and Government, acting on behalf of the Authority of Heads of State and Government would impose sanctions against the warring parties, the blockade of all entry points into Liberia by land, air and sea in order to deny them access to the sinews of war and the export of any commodities or products originating from their controlled areas of Liberia. In this connection, Heads of State and Government made a special appeal to the three neighbouring States of ECOWAS sharing land borders with Liberia for their cooperation to ensure the strictest application of the Sanctions Decision.

15. The Joint Meeting also decided to seek the assistance of the Security Council of the United Nations to endorse the Sanctions Decision and make it mandatory for the entire international community in accordance with the relevant provisions of the Charter of the United Nations. In this regard, the Meeting mandated the Ministers for Foreign Affairs of Benin (Chairman), Burkina Faso, Côte d'Ivoire, the Gambia, Ghana, Guinea, Nigeria, Senegal and Togo, accompanied by the Executive Secretary, to proceed to New York to make the necessary representations to the Security Council.

16. The Sanctions Decision (annex I above) is annexed to this Communiqué and shall form an integral part thereof.

Role of the United Nations Observer Group

17. Heads of State and Government reaffirmed the Authority decision of July 1992 requesting the presence of a United Nations Observer Group to facilitate the verification and monitoring of the electoral process in Liberia. Within the spirit of the Yamoussoukro IV Accord, the United Nations observers may wish to visit Liberia, during the period of encampment and disarmament, in order to reinforce the confidence of the warring parties.

Vote of thanks

18. The Joint Summit Meeting of the ECOWAS Standing Mediation Committee and the Committee of Five expressed its appreciation to H.E. Nicéphore Dieudonné Soglo, President of the Republic of Benin, for the way in which he conducted the Meeting. The Heads of State and Government paid a tribute to President Soglo for the personal interest shown and the special effort he had made since the Dakar ECOWAS Summit in July 1992 to improve the situation in Liberia. The Joint Meeting also expressed its sincere gratitude to President Soglo, and the Government and people of Benin, for the very warm and fraternal welcome extended to all delegations and for the excellent facilities made available to ensure the success of the First Joint Summit Meeting of the Standing Mediation Committee and the Committee of Five.

Done at Cotonou this 20th day of October 1992.